

Biden Workplace Agenda Will Bring Change Despite Hurdles

The new administration under President-elect Joe Biden will be taking office with an ambitious list of workplace-related priorities. Many of these are directly targeted at reversing the course set by the Trump administration over the last four years.

Of course no administration is ever able to accomplish every item on its wish list and the president's capacity and motivation to act is inevitably impacted by the external factors of the times. This will be particularly true for Biden as he takes office amid a pandemic and recession.

There is virtually no doubt that COVID-19 will be the Biden administration's top priority on day one. The Biden transition team has already made very clear that, among many other things, we can expect to see a swift push for the Occupational Safety and Health Administration to issue mandatory safety guidelines and pressure for Congress to take action to provide for more enhanced unemployment benefits and emergency leave rights — if they have not yet done so.

Beyond the anticipated COVID-19-specific actions remains the larger question of what we can expect to see as to the broader workplace priorities that the Biden administration will bring with it.

At this point it looks likely that the Republicans will maintain control of the U.S. Senate. If so, Biden is going to face many of the same roadblocks that President Barack Obama did when it comes to pursuing progressive labor and employment priorities that require congressional action.

It is no surprise that many of the Biden campaign's workplace-related objectives are reminiscent of priorities on which the Obama administration was unable to gain the necessary traction. For example, increasing the federal minimum wage, restricting the use of noncompete agreements and mandatory arbitration clauses, and expanding union and collective bargaining rights. The Obama administration increased the minimum wage for federal contractors but was unable to get a larger minimum wage increase through Congress.

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The full article, "Biden Workplace Agenda Will Bring Change Despite Hurdles," can be found on [Law360.com](https://www.law360.com) (subscription not required for coronavirus coverage).